

April 4, 2008

Mail Stop PETITION Commissioner for Patents Post Office Box 1450 'Alexandria, VA 22313-1450

Re: Renewed Petition under 37 CFR 1.137(b) for patent application No. 10/652,929

Dear Sir/Madame:

I am writing with regards to patent application No. 10/652,929, submitted by my late husband, N'ton Kitapini, and his brother (co-inventor), Kitoko Kitapini, in September 2003. Specifically, I would like to explain that the entire delay in providing the required reply to the Patent Office was unintentional.

When N'ton submitted the patent application in early September 2003 he was hospitalized in Detroit, Michigan, where we were living at the time. In the course of that month N'ton's clinical condition unexpectedly and rapidly declined. He died on September 23, 2003. To be quite honest, we cannot provide hard and definitive evidence that delays in replying to Patent Office requirements were unintentional. All I can say is that N'ton's unexpected and untimely death threw both me and Kitoko into severe personal crises causing not only disruptions in our immediate living situations but also, for a while, impairments to our basic emotional and cognitive stability. To put it another way, I think we both sort of died right along with N'ton and it took us a good while to come back to life. Again, I fully realize that figurative death does not constitute hard evidence of unintentionality, but this is in fact what happened.

After N'ton died I remained at our Detroit address, the one on file in the patent application, for another 10 months. In July 2004 I took a job in Kigali, Rwanda. At the time I left Detroit to take up my job in Rwanda, I confess, I continued to be preoccupied with the cascade of changes that came with N'ton's death: new financial hardships, single parenthood, a new job, an international relocation... In the process, I did not think about N'ton's patent application and my impending address change. I indeed neglected this process, but it truly was unintentional.

If I have interpreted the Transaction History explanations correctly, the Patent Office mailed its first notification to N'ton at the Detroit address 11 months after I had left for Rwanda, which approximately 19 months after his death. When the Patent Office later sent correspondence to Kitoko, the address that was used was incomplete (i.e., it was not the full address supplied in the patent application) and so he never received this correspondence either.

In mid-2007, in a moment of remembering, thinking about, and basically mourning his brother, Kitoko googled N'ton's name and, by chance, discovered a description of their patent on several commercial websites that announce new patents. It was at this time that

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he contacted the Patent Office to understand what it meant and what we needed to do to reactivate the application.

This may not be compelling to reactivate N'ton's patent application. It is, however, sincere and truthful. In any event, I do hope that it is enough for you to reconsider your 'decision to dismiss the petition. I can of course supply you with a copy of N'ton's death certificate, a statement from my employer about my overseas relocation, and any other information or documentation you may need to make your final decision.

Sincere regards

Jessica E, Price

Rwanda Country Office c/o Family Health International 4401 Wilson Blvd., Suite 700

Arlington, VA 22203 Tel: +250-08306174 Email: jprice@fhirw.org

Cc: Kitoko Kitapini



PTO/SB/64 (01-08)
Approved for use through 04/30/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION FOR REVIVAL OF AN APPLICATION FOR		Docket Number (Optional)					
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1	.137(b)						
First named inventor: N'TON KITAPINI							
Application No.: 10/652, 929	Art Unit: 3	661					
Filed: 09/02/2003	Examiner: No	BUYEN, TAN QUANG					
Title: RIDE CONTROL SYSTEM FOR	ARTICUL	ATED VEHICLES					
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300							
NOTE: If information or assistance is needed in comp Information at (571) 272-3282.	leting this form, p	lease contact Petitions					
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.							
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION							
NOTE: A grantable petition requires the following item (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - re filed before June 8, 1995; and for all design (4) Statement that the entire delay was uninter	quired for all utilit applications; an						
1.Petition fee X Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant cl Other than small entity – fee \$ (37 CFR 1.1		status. See 37 CFR 1.27.					
2. Reply and/or fee	. ()	:					
A. The reply and/or fee to the above-noted Office action the form of		fy type of reply):					
has been filed previously on is enclosed herewith.	·						
B. The issue fee and publication fee (if applicable) of \$	1000 4th, 2007						

[Page 1 of 2]
This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[Page 1 of 2]

PTO/SB/64 (01-08)

Approved for use through 01/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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3. Terminal disclaimer with disclaimer fee
Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]
WARNING:
Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that me contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit can numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting the to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTG 2038 submitted for payment purposes/are not retained in the application file and therefore are not publicly available.
N: 0000 / 10000 9 / 172008
Signature Date
KITOKO KITAPINI & Jessica Price (N'TON Representative) Typed or printed name Registration Number, if applicable
Typed or printed name Registration Number, if applicable
11945 Michel Sarrazin Apt 24 (514) 332-8559 Address Telephone Number
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H472G6, Montreal, Qc, Canada Address
Enclosures: Fee Payment
Reply
Terminal Disclaimer Form
Additional sheets containing statements establishing unintentional delay
Other:
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]
I hereby certify that this correspondence is being:
Deposited with the United States Postal Service on the date shown below with sufficient
postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for
Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark
Office at (571) 273-8300.
April 9,2008 MICC Chice
Date Signature
Typed or printed name of person signing certificate
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Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

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- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- A record from this system of records may be disclosed, as a routine use, in the course of
 presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to
 opposing counsel in the course of settlement negotiations.
- A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Form 1040)	U.S. Individual Income		200	4 (99)	IDC Har Oak Ba			
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instructions on page 16.)	E L	If a joint return, sp. first name & initial	Last name			\$	pouse's social security number		
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(occ page 10.)	1	Do you, or your spouse if filing a Single	Joint return, want s			(with qualifying person	Yes X I	No Yes No	
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page 10.								Add numbers	
	d	Total number of exemptions claimed	<u></u>					on lines	
Income	7	Wages, salaries, tips, etc. Attach Form(s)	W-2				7	89,777	
	8a	Taxable interest. Attach Schedule B	if required		ş		8a		
Attach Form(s) W-2 here. Also	b	Tax-exempt interest. Do not include	on line 8a		8b				
attach Forms	9a	Ordinary dividends. Attach Schedule	B if required		900000		9a		
W-2G and	b	Qualified dividends (see page 20)							
1099-R if tax	10	Taxable refunds, credits, or offsets of	f state and local inc	ome taxes (se	e page 20)		10	1,189	
was withheld.	11	Alimony received					11		
If you did not	12	Business income or (loss). Attach So	chedule C or C-EZ				12		
get a W-2.	13	Capital gain or (loss). Attach Schedu		ot required, ch	eck here 🕨	L	13	1,545	
see page 19.	14 15a	Other gains or (losses). Attach Form					14		
	16a	IRA distributions 15 Pensions and annuities 16				ount (see page 22			
Enclose, but do	17			b	Taxable an	ount (see page 22) 16b		
not attach, any	18	Rental real estate, royalties, partners Farm income or (loss). Attach Sched						-17,171	
payment. Also, please use	19	Unemployment compensation							
Form 1040-V.	20a	Social security benefits 20			Tavable am	ount (see page 24	19		
	21	Other income. List type and amt. (se	 		raxable an	ount (see page 24	·	-59,924	
	22	Add the amounts in the far right colu			our total inc	ome •	21	15,416	
	23	Educator expenses (see page 26)			23	ome	122	13,410	
Adjusted	24	Certain business expenses of reservists, p	erforming artists, and		24		\exists		
Gross	25	fee-basis government officials. Attach Forr IRA deduction (see page 26)	n 2106 or 2106-EZ		25		7		
Income	26	Student loan interest deduction (see	page 28)	• • • • • • • • • • • •	26		-		
	27	Tuition and fees deduction (see page	29)		27		-		
	28	Health savings account deduction. A	tach Form 8889		28				
	29	Moving expenses. Attach Form 3903			29		7.		
	30	One-half of self-employment tax. Atta	ich Schedule SE		30				
	31	Self-employed health insurance dedu	ction (see page 30))	31		7		
	32	Self-employed SEP, SIMPLE, and qu	alified plans		32		7		
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Form 1040 (2004)	Jess	ica E. Price			530	-78-2822 Page 2
Tàx and,		Amount from line 36 (adjusted gross income)	<u></u>		37	15,416
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oround	000	if: Spouse was born before January 2, 1940), Blind. checked	▶ 38a		
Standard	b	If your spouse itemizes on a separate return or you were a dual-st	atus alien, see page 31	▶ 38b		
Standard L Deduction	-	and check here Itemized deductions (from Schedule A) or your standa	rd deduction (see left margin)		39	10,813
for-	_ 39			i i	40	4,603
People who	40 41	Subtract line 39 from line 37 If line 37 is \$107,025 or less, multiply \$3,100 by the total number line 6d. If line 37 is over \$107,025, see the worksheet on page 33	f exemptions claimed on		41	6,200
checked any box on line		line 6d. If line 37 is over \$107,025, see the worksheet on page 33 Taxable income. Subtract line 41 from line 40. If line 41	is more than line 40, optor 0		42	0
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who can be claimed as a	43 `	Tax (see page 33). Check if any tax is from: a		ĺ	43	0
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All others:	44	Alternative minimum tax (see page 35). Attach Form 6			44	
Single or	45	Add lines 43 and 44			45	
Married filing separately,	46	Foreign tax credit. Attach Form 1116 if required				
\$4,850	47	Credit for child and dependent care expenses. Attach Fo	rm 2441 47			
Married filing	48	Credit for the elderly or the disabled. Attach Schedule \ensuremath{R}	48			
jointly or Qualifying	49	Education credits. Attach Form 8863	49			
widow(er),	50	Retirement savings contributions credit. Attach Form 88				
\$9,700	51	Child tax credit (see page 37)	l E			
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household, \$7,150	53	Credits from: a Form 8396 b Form	8859 53			
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Other	57	Self-employment tax. Attach Schedule SE			58	
Taxes	58	Social security and Medicare tax on tip income not report			59	
	59	Additional tax on IRAs, other qualified retirement plans,			60	
	60	Advance earned income credit payments from Form(s)				
	61	Household employment taxes. Attach Schedule H			61	0
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	63	Federal income tax withheld from Forms W-2 and 1099		3,023		
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qualifying	b	Nontaxable combat pay election				
child, attach Schedule EIC.	66	Excess social security and tier 1 RRTA tax withheld (se	e page 54) 66			
	67	Additional child tax credit. Attach Form 8812	67	950	4	
	68	Amount paid with request for extension to file (see page 54)	68] [
	69	Other pymt. from: a Form 2439 b Form 4136 c	Form 8885 69]	
	70	Add Ins. 63, 64, 65a, & 66 - 69. These are your total payments			70	3,973
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Direct deposit?	72a	Amount of line 71 you want refunded to you			72a	3,973
See page 54	▶ b	Routing number 072000805 ▶ c Type	e: X Checking Saving	gs		
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		r penalties of perjury. I declare that I have examined this return ar they are true, correct, and complete. Declaration of preparer (other	d accompanying schedules and state	ments, and to the	best of m	ny knowledge and
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records.	<u></u>	Ton Kitapini born 06-57	died 09-20-03	(rerete	iice)	
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